

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PATRICK M. McCOLLUM,
Plaintiff,

No. C 04-3339 CRB
ORDER

v.

THE STATE OF CALIFORNIA et al.,
Defendants.

Now before the Court is plaintiff McCollum's motion to compel. After carefully considering the papers submitted by the parties, the Court concludes that oral argument is unnecessary, see Local Rule 7-1(b), and rules as follows.

With respect to defendants' Privilege Log-3, the Court believes that the deliberate process privilege could apply to the withheld documents/information, see United States v. Fernandez, 231 F.3d 1240, 1246 (9th Cir. 2000); however, the Court will review the withheld documents *in camera* before finally ruling on plaintiffs' motion. Defendants shall submit the withheld documents *in camera* for the Court's review on or before December 9, 2008.

Defendants shall produce documents related to the persons actually hired for the Community Partnership Manager positions that plaintiff McCollum applied for. Defendants

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1 may redact confidential information such as address and social security number.

2 **IT IS SO ORDERED.**

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4 Dated: December 4, 2008

A handwritten signature in black ink, appearing to be 'C. R. Breyer', written over a horizontal line.

CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE